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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SFR INVESTMENTS POOL 1, LLC,

Plaintiff,

vs.

CARRINGTON MORTGAGE SERVICES,
LLC; DOES I through X; ROE BUSINESS
ENTITIES I through X, inclusive,

Defendants.

Case No. 2:22-cv-00521-JCM-EJY

**STIPULATION AND ORDER TO STAY
CASE**

SFR Investments Pool 1, LLC ("SFR") and Carrington Mortgage Services, LLC
("Carrington") hereby state and stipulate as follows:

1. On March 22, 2022, SFR filed its complaint against Carrington alleging the following claims: (1) Violation of NRS 107.200 et seq.; and (2) Quiet Title. SFR's quiet title claim is based in part on an allegation that Carrington's deed of trust was terminated by operation of NRS 106.240.

2. On March 24, 2022, Carrington removed the action to this Court. Because Carrington was proceeding to foreclosure on the real property located at 3900 Wharton Street, Las Vegas, NV 89130, Parcel No. 138-12-516-026, which is the subject of this litigation, on March 25, 2022, SFR filed an emergency motion for an injunction to stop the sale. This Court denied the injunction, and Carrington foreclosed on the Property on March 29, 2022.

3. At the foreclosure sale, Saticoy Bay LLC Series 3900 Wharton was the successful bidder. Sometime thereafter, Saticoy sold the Property to SFR and the Deed was recorded on April

1 13, 2022.

2 4. In light of this purchase, particularly the price paid by SFR, SFR's claim for
3 violation of NRS 107.200 et seq. is now moot.

4 5. With regard to SFR's claim for quiet title based in part on NRS 106.240, on April
5 7, 2022, the Nevada Supreme Court issued its decision in *SFR Investments Pool 1, LLC v. U.S.*
6 *Bank*, No. 81293, 138 Nev. Ad. Op. 22 (Apr. 7, 2022) ("*Marsh Butte*"). This decision addresses
7 issues related to NRS 106.240. SFR intends to file a motion for en banc reconsideration on part of
8 the decision, namely the part that will or may impact this case.

9 6. Even without this decision, based on Carrington having proceeded to foreclosure,
10 SFR needs to amend its complaint to allege wrongful foreclosure in place of or in addition to the
11 quiet title claim.

12 7. On April 6, 2022, Carrington filed a motion to dismiss SFR's complaint. [ECF No.
13 12]. SFR's response is due April 20, 2022. However, in light of SFR's need to amend its complaint,
14 the parties agree Carrington hereby withdraws its motion to dismiss without prejudice and SFR
15 will amend its complaint to withdraw its violation of NRS 107.200 et seq. claim and add a claim
16 for wrongful foreclosure.

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8. Additionally, to reduce unnecessary costs of litigation on an evolving issue, the parties further agree to stay this case until such time as SFR's en banc reconsideration in the *Marsh Butte* appeal is decided by the Nevada Supreme Court.

<p>Dated this 20th day of April, 2022</p> <p>Wright Finlay & Zak LLP</p> <p><u>/s/ Christina V. Miller</u></p> <p>Christina V. Miller, Esq. Nevada Bar No. 12448 7785 W. Sahara Ave., Suite 200 Las Vegas, NV 89117 <i>Counsel for Carrington Mortgage Services, LLC</i></p>	<p>Dated this 20th day of April, 2022.</p> <p>Hanks Law Group</p> <p><u>/s/ Karen L. Hanks</u></p> <p>Karen L. Hanks, Esq. Nevada Bar No. 9578 7625 Dean Martin Drive, Suite 110 Las Vegas, NV 89139 <i>Counsel for SFR Investments Pool 1, LLC</i></p>
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IT IS SO ORDERED April 22, 2022.

James C. Mahan
U.S. DISTRICT COURT JUDGE

HANKS LAW GROUP

CERTIFICATE OF SERVICE

I hereby certify that on this ____ day of _____, 2022, pursuant to FRCP 5, I served
via the CM/ECF electronic filing system a true and correct copy of
_____, to the following parties:

Hugo Hernandez-Diaz

hhdiaz@wrightlegal.net

Christina Miller

cmiller@wrightlegal.net

/s/ _____
An Employee of Hanks Law Group

The logo for Hanks Law Group, featuring a stylized 'hlg' in a light orange color, with the words 'HANKS LAW GROUP' in a grey, sans-serif font stacked vertically to its right.